



DA IFW
#

PATENT
ATTORNEY DOCKET NUMBER: 50321/002002

Certificate of Mailing: Date of Deposit: December 23, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Holly Wandel
Printed name of person mailing correspondence

[Signature]
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William M. Mitchell et al. Art Unit: 1645
Serial No.: 09/709,201 Examiner: Hines, J.A.
Filed: November 8, 2000 Customer No.: 21559
Title: DIAGNOSIS AND MANAGEMENT OF INFECTION CAUSED
BY CHLAMYDIA

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705

In response to the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) indicated on the U.S. Patent Office PAIR site in connection with the above-captioned patent application, Applicants hereby request reconsideration of the patent term adjustment.

The correct patent term adjustment is 145 days. This adjustment represents the period of delay in issuance of the above application as a patent beyond the 4-month

period set forth in 35 U.S.C. 154 (and in the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) mailed March 24, 2004).

The basis under 37 C.F.R. § 1.702 for the patent term adjustment is 37 C.F.R. § 1.702(a)(4): failure to issue a patent within "four months after the date on which the issue fee was paid under 35 U.S.C. 151 and all outstanding requirements were satisfied."

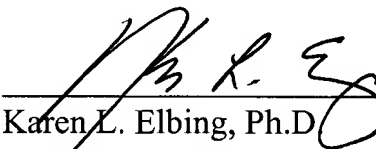
As indicated by the attached PAIR entry, the issue fee (the only outstanding requirement) was received and recorded by the Patent Office on April 12, 2004. The issue date for the patent, as also indicated by the attached PAIR entry, is January 4, 2005. The period of delay exceeding the 4-month time limit for patent issuance is 145 days.

Applicants therefore submit that the current patent term adjustment should be 145 days and request reconsideration of the patent term adjustment.

Please charge \$200.00 for the fee set forth in 37 C.F.R. § 1.18(e) and any additional charges or any credits to Deposit Account No. 03-2095..

Respectfully submitted,

Date: 23 December 2004



Karen L. Elbing, Ph.D.
Reg. No. 35,238

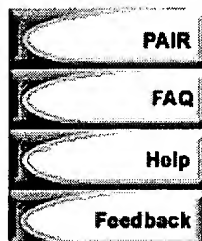
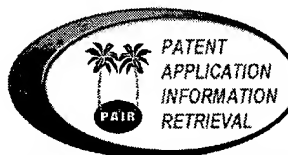
Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



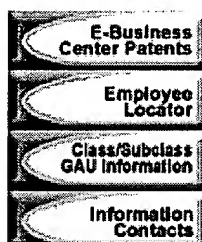
United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

| Patent Term Adjustment (PTA) for application number: 09/709,201 | | | |
|--|------------|-----------------------------|------|
| | | | Days |
| Filing or 371(c) Date: | 11-08-2000 | USPTO Delay (PTO): | 427 |
| Issue Date of Patent: | - | Three Years: | - |
| Pre-Issue Petitions (days): | +0 | Applicant Delay (APPL): | 395 |
| Post-Issue Petitions (days): | +0 | Total PTA: | 32 |
| USPTO Adjustment (days): | +0 | Explanation of Calculations | |

Select Search Option

Continuity Data

File History

Image File Wrapper

| Patent Term Adjustment History | | | |
|--------------------------------|---|---------------|----------------|
| Date | Contents Description | PTO (days) | APPL (days) |
| 12-15-2004 | PTA 36 Months | ↑ | |
| 01-04-2005 | Patent Issue Date Used in PTA Calculation | 145 | |
| 11-19-2004 | Receipt into Pubs | ↑ | |
| 11-17-2004 | Dispatch to FDC | ↑ | |
| 10-26-2004 | Dispatch to FDC | ↑ | |
| 10-12-2004 | Application Is Considered Ready for Issue | ↑ | |
| 04-12-2004 | Mailroom Date of Issue Fee Payment | ↑ | |
| 08-26-2004 | Workflow - Query Request - Finish | | |
| 05-07-2004 | Workflow - Query Request - Begin | | |
| 04-21-2004 | Sequence Forwarded to Pubs on Tape | | |
| 04-16-2004 | Workflow - File Sent to Contractor | | |
| 04-12-2004 | Issue Fee Payment Recorded | | |
| 03-24-2004 | Mail Notice of Allowance | 26 | |
| 03-22-2004 | Issue Revision Completed | ↑ | |
| 03-22-2004 | Notice of Allowance Data Verification Completed | ↑ | |
| 03-22-2004 | Case Docketed to Examiner in GAU | ↑ | |
| 03-22-2004 | Notice of Allowability | ↑ | |
| 12-17-2003 | Correspondence Address Change | ↑ | |
| 12-03-2003 | IFW Amended case processing Complete | ↑ | |
| 12-03-2003 | Date Forwarded to Examiner | ↑ | |
| 10-27-2003 | Response after Non-Final Action | ↑ | 124 |

| | | | |
|------------|--|-----|-----|
| 10-27-2003 | Request for Extension of Time - Granted | | ↑ |
| 04-23-2003 | Mail Notice of Restarted Response Period | | ↑ |
| 04-22-2003 | Letter Restarting Period for Response (i.e. Letter re: References) | | ↑ |
| 04-22-2003 | Correspondence Address Change | | ↑ |
| 03-25-2003 | Mail Non-Final Rejection | 155 | ↑ |
| 03-24-2003 | Non-Final Rejection | ↑ | |
| 03-24-2003 | Date Forwarded to Examiner | ↑ | |
| 06-21-2002 | Response to Election / Restriction Filed | ↑ | |
| 06-21-2002 | Request for Extension of Time - Granted | | |
| 06-21-2002 | CRF Disk Has Been Received by Preexam / Group / PCT | | |
| 06-21-2002 | Request for Extension of Time - Granted | | |
| 07-08-2002 | CRF Is Good Technically / Entered into Database | | |
| 11-08-2000 | Information Disclosure Statement (IDS) Filed | | |
| 06-21-2002 | CRF Disk Has Been Received by Preexam / Group / PCT | | |
| 06-21-2002 | Request for Extension of Time - Granted | | |
| 04-19-2002 | Mail Restriction Requirement | 101 | |
| 04-19-2002 | Requirement for Restriction / Election | ↑ | |
| 03-26-2002 | CRF Does Not Match Application Specification -- Applicant Must Correct | ↑ | |
| 11-08-2000 | Preliminary Amendment | ↑ | |
| 01-23-2002 | Case Docketed to Examiner in GAU | ↑ | |
| 01-07-2002 | Application Dispatched from OIPE | ↑ | |
| 01-04-2002 | Application Is Now Complete | ↑ | 271 |
| 12-13-2001 | CRF Is Good Technically / Entered into Database | ↑ | ↑ |
| 01-08-2001 | Notice Mailed--Application Incomplete--Filing Date Assigned | ↑ | ↑ |
| 01-08-2001 | Correspondence Address Change | ↑ | |
| 11-28-2000 | IFW Scan & PACR Auto Security Review | ↑ | |
| 11-08-2000 | Initial Exam Team nn | ↑ | |

[|.HOME|INDEX|SEARCH|eBUSINESS|CONTACT US|PRIVACY STATEMENT](#)